

Amendments to the Drawings:

The drawing sheet or sheets attached in connection with the above-identified application containing Figure 3 is being presented as a new formal drawing sheet or sheets to be substituted for the previously submitted drawing sheet or sheets. Figure 3 has been amended to delete reference numerals 3 and their corresponding leader lines. Appended to this amendment is an annotated copy of the previous drawing sheet which has been marked to show the change presented in the replacement sheet of the drawing.

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

I. Abstract

The Abstract was objected to because it uses phrases which can be implied and does not adequately describe that which is new in the art to which the invention pertains. The Abstract has been replaced, thus respectfully overcoming the objection thereto.

II. Title

The title of the application is objected to for not being descriptive. The title has been amended, thus respectfully overcoming the objection thereto.

III. Status of Claims

Claims 1, 38 and 49 are amended. Support for the amendments to claims 1 and 38 can be found in at least Page 15, lines 8-19 of the original specification. Claims 2-26 were previously cancelled. No new matter has been added. Upon entry of the claim amendments, claims 1 and 27-51 will be pending and subject to examination on the merits.

IV. Priority

It is stated that a certified copy of the U.S. Application 10/585,765 has not been filed. This statement is not clear because the present application is 10/585,765, and a certified copy of the present application is not required by 35 U.S.C. § 119(b). To the extent that the PTO is requesting copies of the priority document, the PTO should request the copies from the International Bureau. *See* M.P.E.P. § 1893.03(c) and Regulation 17.2 under the Patent Cooperation Treaty.

V. Drawings

The drawings are objected to because of the use of the reference numerals 3 in Figure 3. Figure 3 has been amended to remove these reference numerals, thus respectfully overcoming the objection thereto.

VI. *The 35 U.S.C. § 112 Rejections*

Claims 1 and 27-51 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Without conceding to the propriety of the rejections, claims 1 and 38 are amended, which renders these rejections moot. Favorable reconsideration of these rejections is respectfully requested.

VII. *The 35 U.S.C. § 102 Rejections*

Claims 1 and 27-51 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. 4,949,624 to Hara (hereafter “Hara”). For at least the following reasons, this rejection is respectfully traversed.

Hara fails to disclose a heating, ventilation, or air-conditioning system “wherein the at least one air duct includes at least one air outflow vent that is configured to receive the conditioned air, *to divide the conditioned air into a first airflow and a second airflow* and to distribute an air stream through an outlet opening into a passenger compartment of the vehicle,” as prescribed in claims 1 and 38 (Emphasis added).

Hara discloses a “louver window 4 [that] has a plurality of (in the illustrated case three) swingable louver members 5 each having a shaft ... [t]hese shafts 6 are coupled through a link mechanism to a drive motor 8” (Hara, col. 5, lines 34-41). “When the air conditioning system is required to operate in a concentration mode...the drive motor 8 is operated on command from the control unit 41 to place the louver members 5 at a first position...[and w]hen the air conditioning system is required to operate in a diffusion mode...the drive motor 8 is operated on command from the control unit 41 to place the louver members 5 at a second position” (Hara, col. 5, lines 49-64). The air discharged by the louvers is a single air stream that is adjusted to two different airflow patterns based on the position of the louver members 5.

In contrast, Applicants’ specification discloses, according to one embodiment of the present invention, an air outflow vent that receives the conditioned air and divides the conditioned air into two distinct and separate air streams in a single vent. The air guiding device 5 divides an air stream 8, fed to the air outflow vent 1 via the air duct, into two partial air streams 9 and 10 (Applicants’ specification, page 15, lines 8-11). A swirl is impressed on

the second partial air stream 9 by the guiding elements 5.1 or by the metering device 3 so that the second partial air stream 9 leaves the air guiding device as a second partial air stream 11 to which a swirl has been applied (Applicants' specification, page 15, lines 20-24). The air guiding element 5.2 guides the first partial air stream 10, without a swirl being impressed, through the air guiding device to the shutter 2 which forms, with the pivot ring 7, a device for setting a pivot area 15 of the air outflow vent 1 with which the direction of the air stream can be set in the area of an outlet opening 2.1 (Applicants' specification, page 15, lines 24-31). The air stream that exits the outlet opening 2.1 has certain outflow characteristics depending on the metering device and the partial air stream or combination thereof that is guided to the outlet opening 2.1.

For example, according to one embodiment of the present invention, Figure 2a shows the air outflow vent 1 in which only the air stream 11 to which a swirl is applied is guided to the outlet opening 2.1, resulting in an air outflow having a scatter characteristic (Applicants' specification, page 11, lines 9-16). Figure 2c shows the air outflow vent 1 in which only the air stream 10 is guided to the outlet opening 2.1, resulting in an air outflow having a spot characteristic (Applicants' specification, page 11, lines 20-27). Figure 2b shows the air outflow vent 1 in which both the air streams 10 and 11 are guided to the outlet opening 2.1, resulting in an air outflow having a characteristic between the two extreme values of only the air stream 11 (scatter characteristic) and air stream 10 (spot characteristic), depending on the distribution of the mass air stream rate between air streams 11 and 10 (Applicants' specification, page 11, line 30 to page 12, line 17).

Because Hara fails to disclose, a heating, ventilation, or air-conditioning system “wherein the at least one air duct includes at least one air outflow vent that is configured to receive the conditioned air, *to divide the conditioned air into a first airflow and a second airflow* and to distribute an air stream through an outlet opening into a passenger compartment of the vehicle,” as prescribed in claims 1 and 38, claims 1 and 38 are allowable over Hara (Emphasis added).

Claims 27-37 depend from claim 1 and are allowable for at least the reasons that claim 1 is allowable, in addition to their respective recitations. Claims 39-51 depend from claim 38 and are allowable for at least the reasons that claim 38 is allowable, in addition to

their respective recitations. Reconsideration and withdrawal of the 35 U.S.C. § 102 rejection is respectfully requested.

VIII. Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

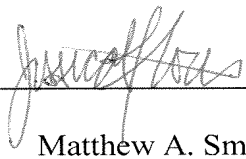
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extension fees to Deposit Account No. 19-0741.

Respectfully submitted,

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